

TAM:MJB:all

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JUKEN WASHINGTON GORDON,	:	CIVIL ACTION NO. 1:CV-01-0331
Plaintiff,	:	
	:	
v.	:	(Rambo, J.)
	:	
N. GONZALEZ, <u>et al.</u> ,	:	
Defendants.	:	Filed Electronically

DEFENDANTS' PROPOSED VOIR DIRE QUESTIONS

1. Have you, anyone in your family, or a close friend been involved in any lawsuit?

If yes:

- (a) What was or is the nature of the suit?
- (b) Was it as a plaintiff or defendant?
- (c) Identify the other parties and issues.
- (d) What was the outcome?

2. Have you, anyone in your family, or a close friend been on a jury before you were called for this case?

- (a) What kind of action: criminal or civil?
- (b) When?
- (c) What was the outcome?

- (d) If civil and the verdict was for the plaintiff, what was the amount of damages?

3. Lawsuits by prisoners can cause strong reactions in some people. Do any of you have any strong feelings about inmate lawsuits, for or against, such that it would influence how you weigh the evidence or influence your decision?

4. It is easy to feel sympathetic for an individual as against an employee of a federal agency. Do any of you feel that you might be swayed by sympathy for an individual against an employee of the Federal Bureau of Prisons?

5. Would any of you not be able to return a verdict in favor of any of the defendants if warranted by the evidence due to a dislike of the federal government, or in particular, the United States of America or Federal Bureau of Prisons?

6. Have you, any member of your family, or anyone you know experienced any problem with or lodged any complaints against the United States or the Federal Bureau of Prisons?

- (a) If so, what was the nature of the problem or the complaint and how was it resolved?

- (b) Would that information affect your ability to render a verdict in this case?

7. Do any of you know the Plaintiff, Juken Washington Gordon; the defendants, Stacey Puckey, Nelson Gonzalez, Joe Candelora, Greg Shuck, and Bart Shuman?

8. Have any of you, member of your family, or close friends ever accused a law enforcement officer or correctional officer of assaulting them?

(a) Can you describe the nature of the incident and its resolution?

(9) Have any of you, members of your family, or close friends been convicted of a crime and had to spend any time in prison? If so, for what crime? If yes, would that affect your ability to sit on this jury and fairly weigh the evidence?

(10) Do any of you hold any beliefs or opinions regarding prisons, prisoners, or correctional officers such that it would affect your ability to sit on this jury and weigh the evidence fairly and impartially?

(11) The Court will instruct you on the law that applies to this matter and you will be required to follow it. Would any of you have difficulty reaching a verdict based on the law as the Court instructs you even if you do not think the law is right or should be changed?

(12) Is there any reason at all, mentioned or not, why any of you think you could not be totally fair or impartial in this case?

(13) This case might last up to 3 days or so, beginning on November 1, 2004. Is there any reason why this would cause you a hardship to sit on this jury?

(14) Is there any reason at all, be it your personal beliefs, a physical problem, or some other reason, why you could not or should not sit on this jury?

Respectfully submitted,

THOMAS A. MARINO
United States Attorney

Dated: October 7, 2004

/s Michael J. Butler
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CERTIFICATE OF SERVICE BY MAIL

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Middle District of Pennsylvania and is a person of such age and discretion as to be competent to serve papers. That on October 7, 2004, she served the attached

DEFENDANTS' PROPOSED VOIR DIRE QUESTIONS

by placing said copies in a postpaid envelope addressed to the person hereinafter named, at the place and address stated below, which is the last known address, and by depositing said envelope and contents in the United States Mail at Harrisburg, Pennsylvania.

Addressee:

Juken Washington Gordon
Reg No. 0573-088
USP Allenwood
P.O. Box 3000
White Deer, PA 17887

/s Dawn L. Mayko
Dawn L. Mayko
Paralegal Specialist